

FOSTER SWIFT

FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

Lansing | Southfield | Grand Rapids | Detroit | Holland | St. Joseph

Lansing
313 S. Washington Square
Lansing MI 48933

Detroit
333 W. Fort Street - Suite 1400
Detroit MI 48226

Walter S. Foster
1878-1961
Richard B. Foster
1908-1996
Theodore W. Swift
1928-2000
John L. Collins
1926-2001

Webb A. Smith
Allan J. Claypool
Gary J. McRay
Stephen I. Jurnu
Scott A. Storey
Charles A. Janssen
Charles E. Barbieri
James B. Jensen, Jr.
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Scott A. Chernich
Paul J. Millenbach
Dirk H. Beckwith
Brian J. Renaud
Bruce A. Vande Vusse
Lynwood P. VandenBosch
Lawrence Korolewicz

Southfield
28411 Northwestern Highway, Suite 500
Southfield MI 48034

Holland
151 Central Avenue - Suite 260
Holland MI 49423

James B. Doezeema
Anne M. Seuryneck
Richard L. Hillman
Steven L. Owen
John P. Nicolucci
Michael D. Homier
David M. Lick
Scott H. Hogan
Richard C. Kraus
Benjamin J. Price
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Glen A. Schniege
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Anna K. Gibson
Patricia J. Scott
Lindsey E. Bosch
Nicholas M. Oertel
Lauren B. Dunn
Alicia W. Birach
Joseph J. Viviano

Grand Rapids
1700 E. Beltline NE - Suite 200
Grand Rapids MI 49525

St. Joseph
728 Pleasant Street - Suite 204
St. Joseph MI 49085

John W. Mashni
Adam A. Fadly
Allison M. Collins
Leslie A. Dickinson
Julie L. Hamlet
Michael C. Zahrt
Taylor A. Gast
Rachel N. Gizicki
Tyler J. Olney
Mark J. DeLuca
Stefania Gismondi

Writer's Direct Phone: 616.726.2205

Fax: 616.726.2299

Reply To: Grand Rapids

E-Mail: JDoezeema@fosterswift.com

September 7, 2016

Via E-Mail ofcsmcc@senate.michigan.gov

Senate Committee on Transportation

Dear Senate Committee:

Re: Question Regarding House Bills 4423-4426

I have had a chance to review House Bills 4423 through 4426. Recently, I have represented a municipality in conjunction with a speed limit issue which dates back to issues raised in 2006 legislation. In 2006, the legislature adopted Public Act 85 which purportedly modified the mechanism of establishing speed limits, in particular, by setting certain speed limits by the number of curb cuts. Since 2006, it has been represented that, perhaps less than 5% of municipalities, have done anything to comply with alleged changes made by the statute. It has also been suggested, however, that the 2006 change did not affect posted speed limits. However, various attorneys claim that posted speed limits after 2006 are invalid.

I have the same concerns with subject bills, in particular House Bill 4423 and House Bill 4425. These bills would seemingly render invalid posted speed limits. Is that the intention? I would suggest that the respective bills need to include a provision essentially stating that posted speed limits, as posted prior to 2006, and thereafter, continue to remain the posted speed limits through a date into the future. After such date, the bills may then require that speed limits be brought in compliance with the proposed requirements.

In short, these bills really need to address what happens with existing posted speed limits at the time the bills become effective. It has been suggested that these bills would not affect the posted speed limits and municipalities would only need to conduct speed studies, etc. if enough people complained about

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speed limits. I do not believe that would be very good legislation and that is not how they appear to be written. These bills need some clarification as to what happens with existing posted speed limits if these bills are passed.

Sincerely,

FOSTER SWIFT COLLINS & SMITH PC

A handwritten signature in black ink, appearing to read "James B. Doezema", with a long horizontal flourish extending to the right.

James B. Doezema

JBD:cmk